

or property without due process of law or be denied the equal protection of the laws or be subject to discrimination by the state because of race, color, religion or national origin."

I am sure that most of us are familiar with the commentary which accompanied the draft language. The Commission members felt that discrimination was such a serious problem, both within the State and nationally, that there ought to be a commitment by the State to the prohibition against discrimination on account of race, color, religion and national origin in the constitution.

Working here in the Constitutional Convention, we are not operating in a social vacuum. We believe that the declaration of rights for this State must be written in recognition of the social struggles of this period in our history. To set principles for the guidance of the government in its protection of the peoples' rights to life, liberty and the pursuit of happiness, we believe that in addition to the 14th amendment language, this state constitution should contain an express declaration of the commitment by the State of Maryland to the prohibition against discrimination on account of race, religion, and national origin.

In 1947, President Truman's Civil Rights Commission in a historic report to secure these rights stated that leadership by the federal government in safeguarding civil rights does not mean exclusive action by that government. There is much that the states and the local governments alone can do in this field. In certain areas, they must do far more than parallel federal action. For constitutional reasons and for administrative reasons protection of its citizens' rights must remain the primary duty of the state.

As I have talked with the delegates in the Convention, I understand anew the tragedy of racial segregation and isolation in this country. There are many men and women of good will in this State, but they do not understand the seriousness of this problem, the extent to which it is entrenched, nor the damaging effects which affect both the dominant majority and the oppressed minority.

Our present governor has given constructive leadership in this area, and our former governor who sits as a delegate to this Convention also gave leadership in 1963 in the State's first drive to secure a state-wide public accommodations law, and the fair employment practices laws which were enacted. A few days ago in

Maryland's largest city, a young mayor conscious of the effects of racial isolation and discrimination upon the white citizens as well as upon the colored citizens made an inaugural pledge to end racial discrimination in the city's facilities and in its actions.

Many of us who are minority members in this State have been encouraged and enheartened by the activities in both Prince George's and Montgomery Counties as they have enacted fair housing ordinances. The City of Annapolis on the eve of our Convention and shortly thereafter gave us another encouraging example of leadership in the State by its enactment of a fair housing ordinance. Those of us who have long been concerned by the deficiencies in the administration of justice in the criminal area caused by racial discrimination are encouraged by the activities of the white citizens of Montgomery County in the long struggle for justice in the Giles Brothers case. All over this State, in human relations commissions and in county councils, decent, fair-thinking citizens of good will of both races are sitting down together to work on this common problem.

This is not the Negro problem, but is Maryland's problem because it affects us both alike. And therefore we feel that this anti-discrimination language is important both for the guidance of our courts and for the guidance of the General Assembly as we hopefully move to a future of progress.

Now, some say that the anti-discrimination clause is redundant and that the equal protection clause embraces the prohibition. As the Majority Report puts it, because of recent Supreme Court decisions, the equal protection clause may provide broader protection against state-sponsored, state-inspired discrimination.

We reply that the 14th Amendment to the federal Constitution should not be the sole reliance of this State for protecting human rights. In 1867 when the Constitutional Convention met here in Annapolis, slavery had already been abolished. But in Article 24 of the Declaration of Rights of our present Constitution there is the commitment of this State that slavery shall not be reestablished. Certainly in 1967, in spite of the movement in the courts and in the federal Congress, this Convention must enact a similar commitment for the protection of the human rights of the Negro citizens of this State.

We must remember what has been pointed out in prior debate. Although the 14th Amendment was passed by Congress on